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Attorneys for Defendant

OCWEN LOAN SERVICING, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

PHYLLIS SANDIGO,

Plaintiff,

vs.

OCWEN LOAN SERVICING, LLC and U.S.
BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR GSAA HOME EQUITY
TRUST 2007-3, ASSET BACKED
CERTIFICATES, SERIES 2007-3 and
DOES 1-100,

Defendants.

Case No. 5:17-cv-02727-BLF

Hon. Beth Labson Freeman

Ctrm. 3

**DECLARATION OF STEPHANIE M.
SPURLOCK IN SUPPORT OF THE
REPLY IN FURTHER SUPPORT OF
OCWEN LOAN SERVICING, LLC'S
MOTION FOR SUMMARY JUDGMENT**

Date: March 28, 2019

Time: 9:00 a.m.

Ctrm.: 3

Action Filed: April 11, 2017

Removal Date: May 11, 2017

Trial Date: August 19, 2019

1 I, Stephanie M. Spurlock, declare as follows:

2 1. I am employed as a Sr. Manager of Default Management Services and am
3 authorized to make this declaration on behalf of Western Progressive Trustee, LLC dba Western
4 Progressive, LLC ("Western Progressive"). This declaration is provided in support of Ocwen
5 Loan Servicing, LLC's Motion for Summary Judgment, or alternatively, Partial Summary
6 Judgment (the "MSJ").

7 2. As part of my job responsibilities for Western Progressive, I have personal
8 knowledge of and am familiar with the types of records maintained by Western Progressive and
9 the procedures for creating and maintaining those records.

10 3. In the course of my employment responsibilities, I have access to the business
11 records of Western Progressive, including Western Progressive's file concerning the loan that is
12 the subject matter of this litigation (Loan No. *****5841) (the "Loan").

13 4. The Loan is secured by a deed of trust recorded in the official records of the Santa
14 Clara County Recorder on November 17, 2006 under document number 19192983 ("Deed of
15 Trust") for the property located at 3577 Lynx Drive, San Jose, CA 95136 (the "Property").
16 Through assignment from New Century Title Company recorded in the official records of the
17 Santa Clara County Recorder on February 24, 2017 under document number 23588567, Western
18 Progressive became the foreclosure trustee under the Deed of Trust.

19 5. By letter dated January 24, 2017, Western Progressive received instructions from
20 the Loan servicer, Ocwen Loan Servicing LLC to start the foreclosure process in the name of
21 the U.S. Bank National Association, as Trustee for GSAA Home Equity Trust 2007-3, Asset-Back
22 Certificates, Series 2007-3.

23 6. On March 1, 2017, Western Progressive recorded a Notice of Default and Election
24 to Sell Under Deed of Trust ("NOD") in the official records of the Santa Clara County Recorder
25 under the document number 23591498.

26 7. As the foreclosure trustee, Western Progressive mails a copy of the NOD to all
27 interested parties and those parties who have requested notice. Copies of the NOD are sent by
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1 certified mail and by first Class mail and are sent within ten (10) business days of recording the
 2 NOD ("10 Day Notice") and/or five (5) business days of recording the NOD ("5 Day Notice")
 3 (collectively, "Notices").

4 8. There were a total of 32 Notices mailed in connection with the March 1, 2017
 5 NOD. A true and correct copy of the 2 Notices is attached hereto as Exhibit 1.

6 9. On or about March 7, 2017 and March 10, 2017, Western Progressive sent Notices,
 7 by certified mail and first Class mail to the following individuals and trustees who provided the
 8 Property address as the address to use for Notice purposes:

- 9 a. "Joseph Daniel Sandigo," who submitted a Request for Notice, was sent 10 Day
 10 Notice and 5 Day Notice;
- 11 b. "Joseph Daniel Sandigo As Trustee, or their successors in trust under the
 12 Sandigo Living Trust, dated March 28, 2006," who submitted a Request for
 13 Notice, was sent 10 Day Notice;
- 14 c. "Joseph Daniel Sandigo, trustee" who submitted a Request for Notice, was sent
 15 10 Day Notice;
- 16 d. "Sandigo, Joseph D.," in his capacity as a borrower, was sent 10 Day Notice
 17 and 5 Day Notice;
- 18 e. "The Sandigo Living Trust, dated March 28, 2006," which submitted a Request
 19 for Notice, was sent 10 Day Notice;
- 20 f. "Sandigo Living Trust," which submitted a Request for Notice, was sent 10
 21 Day Notice;
- 22 g. "Phyllis Sandigo," who submitted a Request for Notice, was sent 10 Day
 23 Notice and 5 Day Notice;
- 24 h. "Phyllis Toni Sandigo," who submitted a Request for Notice, was sent 10 Day
 25 Notice and 5 Day Notice;
- 26 i. "Phyllis Toni Sandigo As Trustee, or their successors in trust under the Sandigo
 27 Living Trust, dated March 28, 2006," who submitted a Request for Notice, was
 28

1 sent 10 Day Notice;

2 j. "Phyllis Toni Sandigo, trustee," who submitted a Request for Notice, was sent
3 10 Day Notice; and

4 k. "Sandigo, Phyllis T.," in her capacity as a borrower, was sent 10 Day Notice
5 and 5 Day Notice.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed March 13th, 2019, at Atlanta, Georgia.

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